

ORDINANCE NO: G-2015-19 AMENDED

**INTRODUCED BY: H. Dan Adams, MD,
Dan McGinn, Missy Mosby, and
Jonathan Weaver
COMMITTEE: Public Works**

**AN ORDINANCE AMENDING CHAPTER 6.05
(ANIMAL CONTROL)
OF THE EVANSVILLE MUNICIPAL CODE**

WHEREAS, the City of Evansville Department of Transportation and Services and the Animal Control and Education Commission have determined that a need exists for the City of Evansville to better and more humanely deal with the feral cat population within the City of Evansville; and

WHEREAS, the City of Evansville Department of Transportation and Services and the Animal Control and Education Commission recognize that Community Cat programs have been successfully implemented in other municipalities by allowing feral cats to be trapped, neutered, and returned to their original communities as community cats; and

WHEREAS, by implementing these indicated changes, the feral cat population will be controlled and its fecund growth curtailed; and

WHEREAS, the City of Evansville Department of Transportation and Services and the Animal Control and Education Commission recommend that Chapter 6.05 of the Evansville Municipal Code be amended to allow for Trap-Neuter-Return and community cat programs to be implemented within the City of Evansville; and

WHEREAS, the City Council of the City of Evansville ("City Council") wishes to adopt such recommendation by amending Chapter 6.05 of the Evansville Municipal Code.

NOW, THEREFORE, BE IT HEREBY ORDAINED by the City Council of the City of Evansville, Indiana, that Chapter 6.05 of the Evansville Municipal Code is hereby amended as follows:

SECTION 1. AMENDMENT OF SECTION 6.05.020 OF THE EVANSVILLE MUNICIPAL CODE.

The definition of "Animal assemblage" shall be amended to state:

"Animal assemblage" means the gathering on one lot of seven or more altered dogs and/or altered cats over the age of six months, except community cats."

The definition of "At Large" shall be amended to add the following subsection 4:

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“(4) This definition does not apply to community cats.”

The following definition shall be added following the definition of “Commission” within Section 6.05.020:

“‘Community cat’ means any free-roaming cat that may be cared for by one or more residents of the immediate area that is known or unknown; a community cat may or may not be a feral cat. Community cats shall be distinguished from other cats by being sterilized and ear-tipped. Community cats may be part of a Trap-Neuter-Return (TNR) program.”

The following definition shall be added following the definition of “Domestic animal” within Section 6.05.020:

“‘Eartip’ means a mark identifying a feral or stray cat as having been sterilized, specifically the removal of a quarter inch off the tip of the cat’s left ear in a straight line cut while the cat is anesthetized.”

The following definition shall be added following the definition of “Extraordinary animal” within Section 6.05.020:

“‘Feral cat’ means a cat that is not socialized to people and typically avoids contact with humans.”

The following definition shall be added following the definition of “Stray” within Section 6.05.020:

“‘Trap-Neuter-Return’ or ‘TNR’ means a nonlethal approach to community cat population control where community cats are humanely trapped, altered, vaccinated, ear-tipped, and then returned to the location where they were originally trapped.”

SECTION 2. AMENDMENT OF SECTION 6.05.030 OF THE EVANSVILLE MUNICIPAL CODE.

Subsection A(10) of Section 6.05.030 shall be amended in its entirety to read as follows:

“(10) Exemptions. Animals owned and kept by an establishment for which a permit has been issued under this chapter need not be licensed except for an animal assemblage permittee. Large animals shall not be required to be licensed as long as the custodian thereof uses the animals for farm purposes and resides in an area which was outside the corporate City limits as of the effective date of the ordinance codified in this chapter or on property that is zoned “agricultural.” Community Cats are not required to be licensed.”

Subsection (B)(3) of Section 6.05.030 shall be amended to add the following subsection i:

“(i) No animal assemblage permit shall be required for community cats”

SECTION 3. AMENDMENT OF SECTION 6.05.060 OF THE EVANSVILLE MUNICIPAL

CODE.

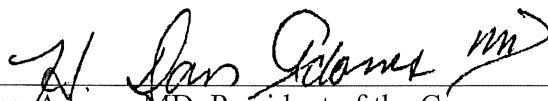
Section 6.05.060 shall be amended to add the following as subsection G:

“(G) Trap-Neuter-Return (TNR) shall be permitted within the City of Evansville.”

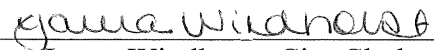
SECTION 4. EFFECTIVE DATE.

This Ordinance shall be in full force and effect after its passage by the City Council and signing by the Mayor.

PASSED BY the Common Council of the City of Evansville, Indiana, on the 27 day of July, 2015, and on said day signed by the President of the Common Council and attested by the City Clerk.

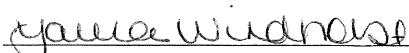


H. Dan Adams, MD, President of the Common Council,
City of Evansville, Indiana

ATTEST: 

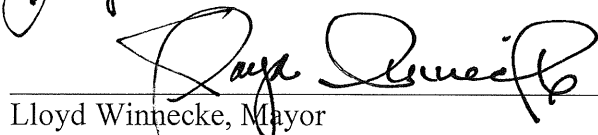
Laura Windhorst, City Clerk
City of Evansville, Indiana

Presented by me, the undersigned City Clerk of the City of Evansville, Indiana, to the Mayor of said City, this 29 day of July, 2015, at 9:30 o'clock A.m. for his consideration and action thereon.



Laura Windhorst, City Clerk
City of Evansville, Indiana

Having examined the foregoing ordinance, I do now, as Mayor of the City of Evansville, Indiana, approve said ordinance and return the same to the City Clerk this 29th day of July, 2015, at 1:30 o'clock P.m.



Lloyd Winnecke, Mayor
City of Evansville, Indiana

APPROVED AS TO FORM
BY TED C. ZIEMER, JR., CORPORATION COUNSEL